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PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Andrew J. Edwards et al.	Examiner:	Thomas H. Stevens
Application No.:	10/001,280	Group Art Unit:	2123
Filed:	November 1, 2001	Docket No.:	50037.57US01
Title:	APPLICATION PROGRAM INTERFACE FOR DYNAMIC INSTRUMENTATION OF A HETEROGENEOUS PROGRAM IN A DISTRIBUTED ENVIRONMENT		

DECLARATION UNDER 37 C.F.R. § 1.131 - 1.132

WE, ANDREW J. EDWARDS and CARLOS P. GOMES, citizens of the United States of America and residents of the state of Washington, declare:

1. We are the sole co-inventors of the subject matter claimed in the instant application (U.S. Application No. 10/001,280), filed November 1, 2001, and entitled "APPLICATION PROGRAM INTERFACE FOR DYNAMIC INSTRUMENTATION OF A HETEROGENEOUS PROGRAM IN A DISTRIBUTED ENVIRONMENT."
2. We understand that U.S. Patent 6,562,356 entitled "Application Program Interface for Transforming Heterogeneous Programs" ("the 356 patent") has been asserted as a reference against the subject matter claimed in the instant application.
3. The 356 patent issued December 9, 2003. The instant application (U.S. Application No. 10/001,280) is a continuation-in-part application of the 356 patent.
4. The listed inventors on the 356 patent are Andrew J. Edwards, Ken B. Pierce and Amitabh Srivastava.
5. As to the portions of the 356 patent that correlate to the subject matter claimed in the instant application, we are the sole inventors of the claimed subject matter and


** TOTAL PAGE.02 **

Amitabh Srivastava and Kon B. Pierce were merely working under our direction with regards to the portions of the 356 patent that relate to the claimed subject matter.

6. We were in possession of the invention claimed in the instant application at and before the time of the publication of the 356 patent.

7. We, the undersigned inventors, declare that all statements herein made of our own knowledge are true and that all statements are made on information and belief and are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like are punishable by fine and/or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that any such willful false statement may jeopardize the validity of this application or any patent resulting therefrom.

2/1/2007
Date



ANDREW J. EDWARDS
3665 169th AVE. NE
BELLEVUE, WA 98008

Date

CARLOS P. GOMES
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*** TOTAL PAGE 02 ***

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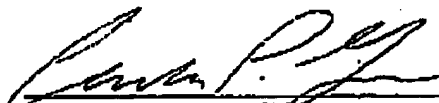
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Date

01/06/2006
Date

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